

### REMARKS

Claims 1-108 are pending. Claims 1, 2, 3, 38, 47, 50, 58, 73, 91 and 92 are amended.

Claims 1-3, 8-10, 12, 13, 17, 24-26, 31-33, 38-40, 50-52, 56-60, 64, 65 and 72 were rejected under 35 USC §102(e) as being anticipated by Auer et al. The Examiner characterizes Auer et al. as providing a memory cell capacitor with a storage electrode 11, a capacitor dielectric 47 and an opposing electrode 16 having an extension which is connected to a second conductive plug (not shown) via a second contact hole 18. Favorable reconsideration of this rejection is respectfully requested.

Auer et al. does not teach each and every limitation of the claims. In particular, Auer et al. fails to teach a first contact hole formed penetrating through said second insulating film and said extension of one electrode. In other words, although Auer et al. shows a capacitor having one electrode which includes an extension, the contact hole 18 is not formed penetrating through the extension.

Independent claims 2, 3 and 38 each require a similar limitation. As such, Auer et al. fails to anticipate these claims.

Claim 47 does not require the extension. However, claim 47 specifies that the conductor is electrically connected to said second electrode at its sidewall exposed in said contact hole (see Figs. 29 and 30). Furthermore, the claims have been amended to define that the contact hole is formed by penetrating through the second electrode to form a side wall of the second electrode exposed at the side wall of the contact hole, and the conductor is electrically connected to the second electrode

at the side wall formed by penetration of the contact hole.

Independent claims 50, 58, 73, 91 and 92 all contain the above-noted limitation of claim 47.

As such, these claims are not anticipated by Auer et al.

Clams 4-7, 11, 14-16, 18-23, 27-30, 34-37, 41-49, 53-55, 61-63, 66-71 and 73-108 were rejected under 35 USC §103(a) as being unpatentable over Auer et al. and Ozaki et al. Ozaki et al. is cited for its disclosure of storage electrodes 25 which are cylindrical in shape. Ozaki et al., however, fails to provide the teachings which Auer et al. lacks as discussed above.

For at least the foregoing reasons, the amended claims distinguish over the cited art and define patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by Applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone Applicants' undersigned attorney.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



Stephen G. Adrian  
Attorney for Applicant  
Reg. No. 32,878

SGA/arf  
Atty. Docket No. **970607B**  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930



23850

PATENT TRADEMARK OFFICE